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15 Attorneys for Defendants Power
V ventures, Inc. and Steve Vachani

16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA

18
19 FACEBOOK, INC.,

20 Plaintiff,

21 -against-

22 POWER VENTURES, INC. d/b/a POWER.COM, a
California corporation; POWER VENTURES, INC.
23 a Cayman Island Corporation, STEVE VACHANI,
an individual; DOE 1, d/b/a POWER.COM, an
individual and/or business entity of unknown nature;
24 DOES 2 through 25, inclusive, individuals and/or
business entities of unknown nature,

25
26 Defendants.

27 Case No. 5:08-cv-05780 JW

28 **DECLARATION OF STEVE
VACHANI IN SUPPORT OF
DEFENDANTS' OPPOSITION TO
FACEBOOK, INC.'S MOTION TO
COMPEL PRODUCTION OF
DOCUMENTS**

Date: October 24, 2011

Time: 9:00 a.m.

Courtroom 15, 18th Floor

Judge James Wares

1 I, Steve Vachani, declare:

2 1. I am CEO of Power.com (“Power”). I make this declaration in support of
3 Defendants’ Opposition to Facebook, Inc.’s Motion to Compel Production of Documents. I have
4 personal knowledge of the facts stated herein and, if called as a witness, I could and would
5 competently testify to the truth thereof.

6 2. Power has already produced the actual source code it used to access Facebook’s
7 website. The source code as well as the other documents Power has produced in this case such as
8 the PowerScript Training documents and PowerScript Documentation Developer Manual show
9 precisely how Power accessed Facebook’s website. Those documents constitute the best possible
10 information Power has to understand how Power accessed Facebook’s website.

11 3. I also testified at length at my deposition about the process by which Power
12 accessed Facebook’s website.

13 I declare under the penalty of perjury under the laws of the State of California that the
14 foregoing is true and correct, and that this Declaration was executed at New York, NY this 21ST
15 day of September, 2011.

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Steve Vachani